

DRAFT MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION REVIEW COMMITTEE

August 1, 2013

Maricopa Association of Governments Office  
302 North First Avenue, Suite 200, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Avondale: Shirley Gunther for David Fitzhugh	Litchfield Park: Woody Scoutten
Glendale: Debbie Albert, Acting Chair	Maricopa County: John Hauskins
ADOT: Kwi-Sung Kang for Floyd Roehrich	Mesa: Jeff Martin for Scott Butler
Buckeye: Scott Lowe	* Paradise Valley: Jim Shano
Chandler: Dan Cook	* Peoria: Andrew Granger
* El Mirage: Sue McDermott	Phoenix: Rick Naimark
# Fountain Hills: Randy Harrel	* Queen Creek: Troy White
* Gila Bend: Eric Fitzer	Scottsdale: Vacant
* Gila River: Steven Johnson	Surprise: Sunell Garg for Terry Lowe
Gilbert: Leah Hubbard	* Tempe: Vacant
Goodyear: Cato Esquivel	Valley Metro: John Farry
* Guadalupe: Vacant	Wickenburg: Vince Lorefice
	Youngtown: Grant Anderson for Jeanne Blackman

EX-OFFICIO MEMBERS ATTENDING

*Street Committee: Charles Andrews, Avondale	Bicycle/Pedestrian Committee: Katherine Coles, City of Phoenix
*ITS Committee: Catherine Hollow, City of Tempe	*Transportation Safety Committee: Renate Ehm, City of Mesa
FHWA: Ed Stillings	
* Members neither present nor represented by proxy.	+ - Attended by Videoconference
	# - Attended by Audioconference

OTHERS PRESENT

Eric Anderson, MAG	Paul Jepson, City of Maricopa
John Bullen, MAG	Thomas Remes, City of Phoenix
Alice Chen, MAG	Paul Basha, City of Scottsdale
Monique De Los Rios-Urban, MAG	Stephen Chang, City of Surprise
Maureen DeCindis, MAG	Marge Zylla, City of Tempe
Teri Kennedy, MAG	Ben Spargo, HDR
Alex Oreschak, MAG	Clemenc Ligocki, MCDOT
Nathan Pryor, MAG	Art Brooks, STRAND
Allan Grover, City of Glendale	

1. Call to Order

Acting Chairwoman Debbie Albert from the City of Glendale called the meeting to order at 10:04 a.m.

2. Call to the Audience

3. Approval of Draft May, 2013 Minutes

Acting Chairwoman Albert noted the following corrections and comments on the minutes. On page 3, Item 6, second to the last sentence in the first paragraph, the statement needs to be rewritten. The point that was being conveyed was unclear. On page 4, Item 7, first sentence in the second paragraph, "Map" should read MAP. On page 5, third paragraph, second sentence, should it read \$272 million? On page 6, third sentence in the second paragraph, the sentence needs to be adjusted to read more clearly. On page 7, first sentence in the fifth paragraph, it should read "Central Arizona Association of Governments." Mr. Rick Naimark from the City of Phoenix motioned to approve the minutes as amended. Mr. Jeff Martin from the City of Mesa seconded, and the motion passed by a unanimous voice vote of the Committee.

4. Transportation Director's Report

Acting Chairwoman Albert invited Mr. Eric Anderson, MAG Transportation Director, to provide the Transportation Director's Report.

Mr. Anderson reported that the region closed out the Fiscal Year with 9.9% growth in June revenues. Total growth in sale tax revenue in the Fiscal Year was 5.4%, with a total of \$341.5 million collected in the Fiscal Year. Collections for the Highway User Revenue Fund (HURF) remain flat, at \$1.2 billion in the Fiscal Year, about the same level collections have been at since 2007. There was a slight uptick in collections of the vehicle license tax from new car sales, but everything else remained flat or was down from the previous Fiscal Year.

Next, Mr. Anderson noted that the comment period for the South Mountain freeway project closed on July 2, 2013. The Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) are required by law to categorize and respond to each individual comment as a part of the Draft Environmental Impact Statement (EIS) process. Mr Anderson said to expect a Record of Decision on the project some time after early 2014.

Mr. Anderson updated the Committee on the Transportation Alternatives program, noting that MAG is holding a Transportation Alternatives Stakeholder workshop on August 13, 2013 at 9:00 am. Under MAP-21, the Transportation Alternatives (TA) program combines elements of previous programs under SAFETEA-LU, including Safe Routes to School and Transportation Enhancements. By law, half of each state's TA funding is allocated directly to local Metropolitan Planning Organizations.

5. Consent Agenda

Addressing the next item of business, Acting Chairwoman Albert directed the Committee's

attention to the consent agenda items 5A ADOT Red Letter Process, 5B Pedestrian and Bicycle Facilities Design Assistance Program, and 5C Transportation Review Committee Meeting Schedule Change. She asked the Committee if there were any questions or comments. Seeing none, Acting Chairwoman Albert requested a motion. Mr. Naimark motioned to approve the consent agenda. Mr. Cato Esquivel from the Town of Goodyear seconded, and the motion passed by a unanimous voice vote of the Committee.

5A. ADOT Red Letter Process

The MAG Transportation Review Committee, by consent, approved the amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate to the Regional Transportation Plan 2010 Update.

5B. Pedestrian and Bicycle Facilities Design Assistance Program

The MAG Transportation Review Committee, by consent, approved the Pedestrian and Bicycle Facilities Design Assistance Program.

5C. Transportation Review Committee Meeting Schedule Change

The MAG Transportation Review Committee, by consent, approved the Transportation Review Committee Meeting Schedule Change.

6. Federal Fiscal Year 2013 DRAFT Transit Program of Projects for Federal Funds

Acting Chairwoman Albert invited Ms. Alice Chen from MAG to present on the Federal Fiscal Year 2013 DRAFT Transit Program of Projects for Federal Funds.

Ms. Chen stated that the item was on the agenda for recommended approval by the Committee. The Transit Program of Projects (POP) is a list of projects drafted annually to submit to the Federal Transit Administration (FTA). As the designated grant recipient for the region, the City of Phoenix applies for FTA grants using the POP. Once the grant is approved, sub-recipients can then draw down on individual projects. The POP was developed using Transit Programming Guidelines as approved by Regional Council on March 27, 2013 with input from Valley Metro/RPTA.

According to Ms. Chen, the current POP is under-programmed by \$3.9 million. Ms. Chen described the currently approved Transit Programming priorities, and how the Transportation Improvement Program (TIP) and FY 2013 POP fall into ten categories. \$528,000 goes to legally required services provided to the region, such as transit security and bus stop improvements. \$40,000 is paid to City of Phoenix for managing the grants. \$22 million is paid for preventative maintenance to transit operators. The baseline amount is \$12 million annually; this year's total is higher because extra CMAQ close-out funds were flexed over from the highway side. \$1.8 million is flexed over for Job Access and Reverse Commute. \$31 million is spent on bus capital in the current fiscal year, primarily for bus replacements but also for articulated buses for Scottsdale Road BRT. \$12 million is for facility capital, including a couple of transit centers and Scottsdale Road BRT. \$16 million is for CMAQ funds flexed over annually to rail. \$22 million

is competitive funds for FTA Small Starts for additional rail projects. \$331,000 is for non-TLCP rail maintenance. The final \$3.9 million is unprogrammed.

Ms. Chen displayed a graphic showing a breakdown of programming: \$40,000 for Administrative, \$40 million for Rail, \$31 million for procurement, \$22 million for maintenance and operations, \$13 million for facility construction, and \$528,000 for enhancements.

This agenda item was approved by the Transit Committee in May. A couple changes were made since Transit Committee approval. \$3.9 million was deleted from the program because it was already programmed in FY 2012. This led to a number of projects being reprogrammed due to a need to flex some projects into CMAQ funds in order to provide more flexibility for projects through Section 5307 funds. For the unprogrammed funds, a MAG competitive process in February for unmet transit needs in the region led to \$5 -\$6 million in project requests, which will be funded using the unprogrammed funds from the POP.

Acting Chairwoman Albert asked for clarification about whether administrative changes in the predesign of the Glendale transit center park and ride facility were included in the POP. Ms. Chen replied that they were not but would be including going forward in committee process.

Acting Chairwoman Albert asked the Committee if there were any questions or comments, hearing none, Mr. Martin motioned to approve. Mr. John Farry from Valley Metro seconded, and the motion passed by a unanimous voice vote of the Committee.

#### 7. MAG Federally Funded Locally Sponsored Project Development Status Report

Acting Chairwoman Albert invited Ms. Kennedy to present on the MAG Federally Funded Locally Sponsored Project Development Status Report.

Ms. Kennedy stated that the item was on the agenda for recommended approval by the Committee, and that corrections were made to the report after it was mailed-out. The corrections were made to Projects GLN14-101 (request for deferral to 2016, not 2014) and GLN11-704 (was omitted from the table of Project Status Reports due to previous deferral; will be added back into report). Additionally, Maricopa County projects MMA11-114, MMA13-901, MMA13-902, MMA13-904, MMA14-101, MMA14-102, MMA14-103, MMA15-434C, MMA15-436C, MMA15-441C, and MMA15-461 were inadvertently omitted from the report, but will be included in the next mailing. All the omitted projects are on time as reported in their schedules. Ms. Kennedy noted that status reports are typically limited to Congestion Mitigation and Air Quality Act (CMAQ) projects, but the current round of reporting was expanded to include Safe Routes to School (SRTS), Transportation Enhancements (TE), and Transportation Alternatives (TA) projects. This was done in order to assist ADOT with their reporting process. This effort involved data collections for over 160 projects this year, while this report has historically collected data on 80 projects per year. Ms. Kennedy thanked the MAG member agencies for working with MAG to get their projects reported in a timely manner.

Acting Chairwoman Albert asked the Committee if there were any questions or comments. Hearing none, she requested a motion. Mr. Dan Cook motioned to approve. Mr. Grant Anderson from the Town of Youngtown seconded, and the motion passed by a unanimous voice vote of the Committee.

8. Project Changes – Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program, FY 2014 Arterial Life Cycle Program and Regional Transportation Plan 2010 Update

Acting Chairwoman Albert invited Ms. Kennedy to present on Project Changes - Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program and the FY 2014 Arterial Life Cycle Program and Regional Transportation Plan 2010 Update.

Ms. Kennedy noted there were corrections since mailout. These corrections were adding project GLN11-704 back into the FY 2011-2015 TIP, amending the deferment year for GLN14-101 from 2014 to 2016, and reducing the local match for project PHX12-106C to \$0, with a federal amount of \$251,000. Ms. Kennedy said that those corrections would be included for the next mailout, and that Tables C and D might need to be modified to reflect the recommendations from agenda item 9. Included in the project changes, all FY 2013 CMAQ construction and procurement projects were programmed to the maximum federal amount, per January 2013 Regional Council approval, and all FY 2013 project design phases for FY 2014 and FY 2015 CMAQ construction projects were funded as needed/requested as per the February 2013 Regional Council approval.

Acting Chairwoman Albert asked the Committee if there were any questions or comments. Hearing none, she requested a motion. Mr. John Hauskins from Maricopa County motioned to approve. Mr. Dan Cook seconded, and the motion passed by a unanimous voice vote of the Committee.

9. FY 2013-14 Federal Funds MAG Close-Out Report

Acting Chairwoman Albert invited Ms. Kennedy to present on the FY 2013-14 Federal Funds MAG Close-Out Report.

Ms. Kennedy compared FHWA funding under MAP-21 and SAFETEA-LU, noting that MAP-21 represents a 12% decrease from SAFETEA-LU projections. Additionally, MAP-21 redistributed funds between several different funding sources: the Surface Transportation Program (STP), CMAQ, the Highway Safety Improvement Program, and Planning Funds, and combined a number of other funding sources, including SRTS and TE, into a new TA program.

Ms. Kennedy explained that obligation authority (OA) is the percentage of total apportioned and sub-apportioned funds that an agency is allowed to authorize. Using this example, OA is 95.5%. If OA is not fully programmed each year, the OA Balance is “at risk” of recisions. Ms. Kennedy stated that ADOT has informed MAG that this is the last year that regional OA can be “carried forward.” Mr. Anderson from MAG mentioned that this is an important point. In the past, if MAG were unable to obligate all funds, MAG would loan the remaining OA Balance to ADOT in the current Fiscal Year, with ADOT repaying MAG in a future fiscal year. Now, ADOT’s funding structure has changed, and they can no longer work with MAG to “carry forward” unused balances. Additionally, MAG accepted unused OA balance from two other in-state COGs to give those COGs spending flexibility. In this Fiscal Year, that amount totaled 1.5 million dollars.

This year, MAG had been expecting about \$162,714 in carry-forward between the CMAQ and STP programs, which is considered an acceptable level. However, ADOT returned approximately \$4.4 million dollars back to MAG's ledger from closing out historic projects and from cost savings on active projects. Additionally, several projects expected to authorize in FFY 2013 have requested deferrals, cancellations or funding modifications based on engineering estimates. Currently the outstanding OA balance for FFY 2013 that needs to be addressed is approximately \$4.1 million. Mr. Anderson pointed out that ADOT is closing out a number of projects that they had not closed out in previous years. Such action makes new funds available for current projects. It is unclear as to what the final results of this process will be. In the future, any cost savings on currently authorized projects will go back on MAG's books and will need to be spent immediately in that year.

In FY 2014, MAG currently has an estimated outstanding OA of over \$9 million. However, MAG is expecting ADOT to accomplish additional historic close-outs. Additionally, project deferrals in the CMAQ program are averaging over \$17.6 million per year over the past three years. It is expected that, with \$9.8 million over-programmed for FY 2014, some projects will defer to FY 2015 or cancel. MAG anticipates a positive OA in February or March of 2014. MAG additionally has \$50 million of historic STP apportionments that does not have OA available, and is working with ADOT on reconciliations to determine the exact balance of OA returning to MAG. Any FY 2014 over or under programming will be addressed in the spring during regular FY 2014 closeout.

Ms. Kennedy presented two proposals to address the approximately \$4.1 million of outstanding OA in FY 2013. Proposal One involves the early advancement of \$3.9 million for Gilbert Road light rail against future programmed reimbursements (\$1.493 million in FY 2015/2016, \$0.388 million in FY 2016/2017, and \$2.019 million in FY 2017/2018). This proposal will save the ALCP program funding if inflation is reinstalled in the program, and also helps the City of Mesa and Metro Rail with a reduction in debt service, saving money for both the project and the region. The estimated program cost savings to the ALCP totals \$237,685 in 2013 dollars, assuming a 1.9% inflation rate, and protects federal funding in FY 2013 .

Proposal Two is an early partial flex to transit of \$3.9 million in CMAQ funds, as part of the regularly scheduled annual flex to transit. The FY 2014 estimated total flex amount is \$16.3 million. The early flex would reduce the balance of the flex amount in FY 2014. In addition to addressing the unused FY 2013 federal OA, the designated recipient (City of Phoenix) would be able to begin FY 2014 grant applications for transit projects, with the balance of the FY 2014 transit transfer to be completed when final funding is known in FY 2014, typically around July or August. This proposal saves staff time and protects federal funding in FY 2013, but there is no substantial benefit.

Ms. Kennedy noted that MAG is requesting a recommendation from the TRC for one of the two proposals. Mr. Cook noted that the outstanding OA is approximately \$4.1 million, and the proposals both identify about \$3.9 million in funding. Ms. Kennedy stated that approximately \$170,000 would be left on the books for contingency funding. Every year, ADOT has at least one project that comes in over the initial engineering estimate. MAG needs to keep funding in reserve for that contingency. Additionally, for this fiscal year, ADOT will still allow some carry forward from MAG, and has informed MAG that over \$4 million is too much to carry forward. Mr. Naimark asked Ms. Kennedy about the average \$17 million per year of CMAQ deferrals. Ms.

Kennedy stated that the yearly deferral amount should be coming down in the future, as the region has been making big improvements in project delivery. The updated Policies and Procedures have greatly assisted, and MAG has been addressing its carry forward also. MAG's carry forward was at \$39 million in 2011, and now from last year MAG is down to just over \$13 million. Mr. Naimark recommended approval of the first proposal, and moved for approval of Proposal One. Mr. Cook seconded the motion. Acting Chairwoman Albert thanked Ms. Kennedy for the substantial effort involved in this analysis and recommendation of proposals, and agreed that Proposal One was a preferable option. The motion passed by a unanimous voice vote of the Committee.

#### 10. Request for Future Agenda Items

Acting Chairwoman Albert requested topics or issues of interest that the Transportation Review Committee would like to have considered for discussion at a future meeting. Hearing no requests, Acting Chairwoman Albert moved on to the next agenda item.

#### 11. Member Agency Update

Acting Chairwoman Albert offered opportunities for member agencies to present updates to their community. Mr. Farry provided updates on the bus strike in the East Valley, stating that there was currently no service in Tempe, Mesa, Gilbert, or Chandler, and partial service in Scottsdale. Mr. Farry noted that Valley Metro was encouraging both sides to come back to the negotiation table and get service back up and running. There were no other updates from member agencies.

#### 12. Next Meeting Date

The next regular Transportation Review Committee meeting is scheduled for Thursday, August 29, 2013 at 10:00 a.m. in the MAG Office, Saguaro Room.

There being no further business, Acting Chairwoman Albert adjourned the meeting at 10:45 a.m.